
A BILL FOR AN ACT

RELATING TO LANDS CONTROLLED BY THE STATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 171-64.7, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) Notwithstanding any law to the contrary, no sale of
4 lands described in subsection (a) in fee simple including land
5 sold for roads and streets, or gift of lands described in
6 subsection (a) in fee simple to the extent such gift is
7 otherwise permitted by law, shall occur without the prior
8 approval of the sale or gift by the legislature by concurrent
9 resolution to be adopted by each house by at least a two-thirds
10 majority vote of the members to which each house is entitled in
11 a regular or special session at which a concurrent resolution is
12 submitted for approval of the sale; provided that the provisions
13 of this section shall not apply to remnants, as that term is
14 defined in section 171-52, or portions thereof; provided further
15 that this section shall not apply to the issuance of licenses,
16 permits, easements, and leases executed in conformance with the
17 laws applicable to the lands listed in subsection (a) [~~provided~~
18 ~~further that this section shall not apply to non ceded lands~~



1 ~~conveyed to the University of Hawaii after December 31, 1989 to~~
2 ~~which the University of Hawaii holds title]."~~

3 SECTION 2. Section 304A-2166, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) The following shall be deposited into the special
6 fund:

7 (1) Appropriations by the legislature to the special fund;

8 (2) All net proceeds from the sale of public lands, all
9 net rents from leases, licenses, and permits, or all
10 net proceeds derived from development rights for
11 public lands:

12 (A) Proposed for large lot subdivision as a five
13 hundred acre parcel and designated as Lot 10077
14 in Land Court Application 1069; and

15 (B) Obtained from the Campbell Estate in the land
16 exchange described in section 2 of Act 294,
17 Session Laws of Hawaii 1996, located mauka of the
18 H-1 Freeway and consisting of nine hundred forty-
19 one acres, more or less; ~~and~~

20 provided that notwithstanding section 304A-105 to the
21 contrary, no sale of lands described in this paragraph
22 in fee simple, including land sold for roads and



1 streets, or gift of lands described in this paragraph
2 in fee simple to the extent such gift is otherwise
3 permitted by law, shall occur without the prior
4 approval of the sale or gift by the legislature by
5 concurrent resolution to be adopted by at least a two-
6 thirds majority vote of both houses; and

7 (3) Interest earned or accrued on moneys in the special
8 fund."

9 SECTION 3. Section 304A-2274, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) There is established the University of Hawaii real
12 property and facilities use revolving fund into which shall be
13 deposited all revenues collected by the university for the use
14 of university real property and facilities, except as otherwise
15 provided by law. The board of regents may establish prices,
16 fees, and charges, including those for the sale, lease, or use
17 of university real property and facilities, which include land,
18 buildings, grounds, furnishings, and equipment; provided that
19 the university shall comply with all statutory and common law
20 requirements in the disposition of ceded lands[-] and those
21 lands described in section 304A-2166(b)(2). The board of
22 regents shall be exempt from the public notice and public



1 hearing requirements of chapter 91 in establishing and amending
2 the fees and charges. The university may establish separate
3 accounts within the revolving fund for major program activities.
4 Funds deposited into the revolving fund accounts shall be
5 expended to pay the costs of operating university facilities,
6 including maintenance, administrative expenses, salaries, wages,
7 and benefits of employees, contractor services, supplies,
8 security, furnishings, equipment, janitorial services,
9 insurance, utilities, and other operational expenses. Revenues
10 not expended as provided in this section may be transferred to
11 other university funds to be invested or expended for the
12 administrative or overhead costs of the university. All
13 expenditures from this revolving fund shall be subject to
14 legislative appropriation."

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect upon its approval.

18



Report Title:

Public Land Sale or Gift; University of Hawaii; Legislative Approval

Description:

Repeals the exemption from required legislative approval for the sale or gift of non-ceded lands conveyed to the University of Hawaii after December 31, 1989, to which the University of Hawaii holds title. Makes conforming amendments to UH statutes. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

